

## **EXHIBIT 4**

**EXCERPT FROM MA APPEALS COURT DOCKET  
SHOWING ALLOWANCE FOR MOTION TO DISCLOSE CLERK COMMUNICATIONS**

APPEALS COURT  
Full Court Panel Case  
Case Docket

ANDRE BISSASOR vs. CRAIG DONAIS  
THIS CASE CONTAINS IMPOUNDED MATERIAL OR PID  
2021-P-0960

**CASE HEADER**

<b>Case Status</b>	Stayed till certain date
<b>Status Date</b>	03/15/2024
<b>Nature</b>	Tort
<b>Entry Date</b>	10/26/2021
<b>Appellant</b>	Plaintiff
<b>Case Type</b>	Civil
<b>Brief Status</b>	Awaiting blue brief
<b>Brief Due</b>	12/06/2021
<b>Arg/Submitted</b>	
<b>Decision Date</b>	
<b>Panel</b>	
<b>Citation</b>	
<b>Lower Court</b>	Middlesex Superior Court
<b>TC Number</b>	2081CV00087
<b>Lower Ct Judge</b>	Camille F. Sarrouf, Jr., J.
<b>TC Entry Date</b>	01/10/2020
<b>SJ Number</b>	
<b>FAR Number</b>	
<b>SJC Number</b>	

**INVOLVED PARTY**

**ATTORNEY APPEARANCE**

**Andre Bissasor**  
Pro Se Plaintiff/Appellant  
Stay granted

**Craig Donais**  
Pro Se Defendant

**DOCKET ENTRIES**

<b>Entry Date</b>	<b>Paper</b>	<b>Entry Text</b>
10/26/2021	#1	Lower Court Assembly of the Record Package
10/26/2021		Notice of entry sent.
10/26/2021	#2	Civil Appeal Entry Form filed by Andre Bissasor.
10/26/2021	#3	Motion to Waive entry fee filed by Andre Bissasor. The Motion to Waive entry fee is allowed conditionally, subject to review by the single justice. This appeal is now docketed for purposes of Mass. R. A. P. 19(a), which requires the appellant to serve and file the appeals brief and record appendix within the next forty days. Notice Sent.
10/26/2021	#4	Affidavit of indigency (IMPOUNDED) filed for Andre Bissasor by Attorney .
10/28/2021		RE#3 ALLOWED FORTHWITH. The appellant's Affidavit of Indigency appears regular and complete on its face, and indicates that the appellant is indigent. The court hereby allows the Motion to Waive entry fee. Notice sent.
11/08/2021	#5	MOTION of Appellant to stay appellate proceedings filed by Andre Bissasor.
11/08/2021	#6	Appendix for paper #5 filed by Andre Bissasor.
11/08/2021	#7	Docketing Statement filed by Andre Bissasor.
11/09/2021	#8	Addendum to Motion to Stay filed by Andre Bissasor.
11/09/2021	#9	Exhibit to motion to stay filed by Andre Bissasor.

11/16/2021		<p>RE#5: The plaintiff has filed a motion to stay appellate proceedings for several reasons including his appeal from an order entered by a judge of the Middlesex Superior Court (Sarrouf, J.), on 10/28/2021, denying his request for funds pursuant to G.L. c. 261, § 27B, to pay for a transcript (Docket No. 2081CV00087). The plaintiff filed a notice of appeal on 11/4/2021 (#43). G. L. c. 261, § 27C provides that the trial "court shall not deny any request without first holding a hearing thereon," and G. L. c. 261, § 27D, provides that "upon receipt of notice of appeal timely filed the clerk or register shall forthwith notify the judge or justice, who shall within three days set forth his written findings and reasons as provided in paragraph (4) of section twenty-seven C." The judge did not hold a hearing nor make the requisite findings after the notice of appeal was filed. Accordingly, I am constrained to find that the 11/4/2021 notice of appeal is premature, and to remand this matter to afford the motion judge the opportunity to hold the hearing in accordance with G.L. c. 261, § 27C. If the proceedings on remand again result in an order from which plaintiff is entitled to appeal, and a timely notice of appeal is filed, findings shall be made and the record shall be assembled and transmitted to the Appeals Court for entry on the single justice docket for review. This order should not be understood as the expression of any opinion on the merits on the § 27D appeal.</p> <p>The plaintiff's request to stay appellate proceedings pending a decision on his motion filed on 11/8/2021 for clarification and/or reconsideration of the order denying his motion for recusal of Judge Sarrouf (#44), is also allowed. I note that this motion was filed after entry of this appeal and without leave from this court. In as much as an appeal has been entered, the plaintiff must seek leave from this court before filing any additional motions in the trial court. If the ruling on this motion results in an order from which plaintiff is entitled to appeal, and a timely notice of appeal is filed, the trial court shall transmit a supplement to the assembly of record to the Appeals Court under docket no. 2021-P-0960.</p> <p>Appellate proceedings are stayed to 12/13/2021. Status report due on 12/13/2021 from the appellant regarding the status of the motion for funds pursuant to G.L. c. 261, § 27B (#37) and the motion for clarification and/or reconsideration of the order denying his motion for recusal of Judge Sarrouf (#44). This order should not be construed as agreeing with any of the remaining reasons for a stay of appellate proceedings raised by the plaintiff. (Englander, J.). Notice/attest/Sarrouf, J.</p>
11/23/2021	#10	Motion for Clarification filed by Andre Bissasor.
11/24/2021	#11	Addendum to Paper #10 filed by Andre Bissasor.
12/01/2021	#12	Status Report filed by Andre Bissasor.
12/01/2021		<p><u>ORDER RE#10</u>: The order of 11/16/21 on #5 is to stand. Plaintiff's request for leave to file a motion for state payment of costs of the transcript of the G.L. c. 261, § 27C hearing scheduled for 11/30/21, is denied without prejudice to renewal after entry of an order on the motion for funds pursuant to G.L. c. 261, § 27B, from which plaintiff is entitled to appeal.</p> <p>The plaintiff's request for leave to file a "motion to disclose ex parte communications on the record" is allowed and the trial court is given leave to consider the motion. However, this appeal will not be stayed pending a decision on this motion as the plaintiff raised the issue of ex parte communications as a grounds for recusal in his motion for recusal that was denied on 10/28/21, and in his motion for clarification of the order denying the motion for recusal that was denied on 11/16/21. This order should not be understood as the expression of any opinion on the merits of the issues the plaintiff raises in the motion to disclose ex parte communications. (Englander, J.). Notice/attest/Sarrouf, J.</p>
12/02/2021		RE#12: Noted. No further status report is due on 12/13/21 as detailed in this court's order of 11/16/21. Instead, appellate proceedings are stayed to 1/4/22. A status report is due then regarding the anticipated date the transcript(s) will be ready and how appellant intends to proceed with this appeal. *Notice
01/05/2022	#13	Status Report filed by Andre Bissasor.
01/05/2022		RE#13: Appellate proceedings stayed to 2/7/22. Status report due then concerning whether outstanding transcript is complete. *Notice.
02/09/2022	#14	Status Report filed by Andre Bissasor.
02/15/2022		RE#14: Appellate proceedings stayed to 3/7/22. Status report due then regarding whether the outstanding transcript is complete. Notice.
03/11/2022	#15	Status Report filed by Andre Bissasor.
03/17/2022		RE#15: Appellate proceedings stayed to 4/19/2022. Status report due then regarding whether the outstanding transcript is complete. Notice
05/12/2022		Notice preceding dismissal entered. *Notice.
05/12/2022	#16	Status Report filed by Andre Bissasor.
05/13/2022		RE#16: Appellate proceedings stayed to 6/24/22. Status report due then concerning status of transcript corrections. If they are not complete, appellant is to provide a date for their anticipated completion. *Notice
07/08/2022		Notice preceding dismissal entered for Andre Bissasor. *Notice.
07/29/2022	#17	Status Report (IMPOUNDED) filed by Andre Bissasor.
08/01/2022		RE#17: Appellate proceedings stayed to 9/15/22. Status report due then confirming that transcript corrections are complete. *Notice.
09/29/2022	#18	Status Report filed by Andre Bissasor.
09/30/2022		RE#18: Appellate proceedings stayed to 11/1/22. Status report due then indicating whether transcript corrections are complete, and if not, when they are anticipated to be completed. *Notice.
09/30/2022	#19	Addendum to Status Report filed by Andre Bissasor.
09/30/2022	#20	Mootness/ Withdrawal of addendum to status report filed by Andre Bissasor.